

## **MINUTES**

### **MONTANA SENATE 61st LEGISLATURE - REGULAR SESSION COMMITTEE ON LOCAL GOVERNMENT**

**Call to Order:** Senator Steven Gallus on January 28, 2009 at  
3:00 P.M., in Room 405 Capitol.

#### **ROLL CALL**

##### **Members Present:**

Sen. John Esp, Chairman (R)  
Sen. Jeff Essmann, Vice Chairman (R)  
Sen. Ron Erickson (D)  
Sen. Steven Gallus (D)  
Sen. Kim Gillan (D)  
Sen. Verdell Jackson (R)  
Sen. Bruce Tutvedt (R)

**Members Excused:** Sen. Gregory D. Barkus (R)  
Sen. Jesse Laslovich (D)

**Members Absent:** None

**Staff Present:** Leanne Heisel, Legislative Branch  
Debra Polhemus, Committee Secretary

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

##### **Committee Business Summary:**

Hearing & Date Posted: SB 220, 1/14/2009; SB 255,  
1/20/2009

Executive Action: SB 56 TABLED  
SB 172 TABLED  
SB 262 DO PASS

**HEARING ON SB 255**

**Opening Statement by Sponsor:**

00:01:16 Sen. Bruce Tutvedt (R), SD 3, opened the hearing on SB 255, Include additional forms of indebtedness in annexation of fire districts.

00:01:58 Sen. Barkus arrived at hearing.

**Proponents' Testimony:**

00:02:54 Rodney Dresbach, Chief, West Valley Fire Rescue  
00:04:44 L. Harold Blattie, Executive Director, Montana Association of Counties (MACo)  
00:05:25 Leonard Lundby, President, Montana Fire Alliance also member Vaughn Volunteer Fire Department  
00:06:33 Ken Mergenthaler, President, Montana State Fire Chiefs Association

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:09:00 Sen. Gillan  
00:10:01 Sen. Tutvedt  
00:10:15 L. Harold Blattie (MACo)  
00:10:49 Sen. Gillan  
  
00:10:59 Sen. Laslovich arrived at hearing.  
  
00:11:23 L. Harold Blattie  
00:13:59 Sen. Barkus  
00:14:39 L. Harold Blattie  
00:15:38 Sen. Essmann  
00:16:11 Rodney Dresbach  
00:17:30 Sen. Esp  
00:17:47 Leanne Heisel, Legislative Services Division (LSD)  
00:18:24 Sen. Esp  
00:18:37 L. Harold Blattie

**Closing by Sponsor:**

00:19:10 Sen. Tutvedt

**HEARING ON SB 220**

**Opening Statement by Sponsor:**

00:19:59 Sen. Esp (R), SD 31, on behalf of Sen. Dave Lewis (R), SD 42, opened the hearing on SB 220, Partial salary for detention officer injured in performance of duty.

**Proponents' Testimony:**

00:21:11 Kathy McGowan, representing Montana Sheriff and Peace Officers Association

00:23:15 Sen. Lewis arrived at hearing.

00:25:47 Brian Gootkin, Gallatin County Sheriff's Office

00:26:36 Carmen Hill, Madison County Sheriff

00:27:28 David Castle, Cascade County Sheriff

00:30:36 Doug Neil, representing Montana State Firemans Association also member Great Falls Fire Rescue

00:33:11 Joseph Sands, representing Montana State Firemans Association also member Billings Fire Department

**Opponents' Testimony:**

00:34:22 L. Harold Blattie, MACo

[EXHIBIT\(los20a01\)](#)

00:39:22 Keith Stapley, Claims Administrator, MACo

00:41:58 Bill Kennedy, Yellowstone County Commissioner

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:46:25 Sen. Esp

00:47:03 Kathy McGowan

00:48:44 Sen. Esp

00:49:17 Kathy McGowan

00:49:52 Sen. Esp

00:49:58 L. Harold Blattie

00:51:01 Sen. Barkus

00:51:40 Sheriff David Castle

00:52:18 Sen. Barkus

00:52:31 Sheriff David Castle

**Closing by Sponsor:**

00:54:29 Sen. Dave Lewis

00:56:36 Sen. Gillan left the hearing.

00:57:26 Sen. Esp assumed responsibilities as Chairman.

**EXECUTIVE ACTION ON SB 262**

00:58:14 **Motion:** Sen. Laslovich moved that **SB 262 DO PASS.**

**Discussion:**

00:58:25 Chairman Esp

00:58:33 **Vote:** Motion carried unanimously by voice vote with Sen. Gillan voting by proxy.

**CONTINUED EXECUTIVE ACTION ON SB 172**

(Previous Executive Action January 26, 2009)

00:59:35 **Motion:** Sen. Barkus moved that **SB 172 DO PASS AS AMENDED.**

01:00:09 **Motion:** Sen. Barkus moved that **SB 172 BE AMENDED.**  
**EXHIBIT**(1os20a02)

**Discussion:**

01:00:21 Sen. Barkus  
01:01:45 Chairman Esp  
01:01:56 Sen. Tutvedt  
01:02:44 Sen. Barkus

01:04:19 **Vote:** Motion failed 3-6 by roll call vote with Sens. Barkus, Esp, and Jackson voting aye and Sen. Gillan voting by proxy.

**Discussion:**

01:05:17 Sen. Laslovich  
01:06:48 Sen. Erickson  
01:07:44 Sen. Barkus  
01:08:02 Sen. Laslovich  
01:08:31 Sen. Erickson  
01:09:00 Sen. Gallus  
01:10:03 Sen. Erickson  
01:10:12 Sen. Barkus  
01:10:52 Sen. Essmann  
01:12:00 Sen. Laslovich  
01:12:42 Sen. Jackson  
01:13:08 Sen. Laslovich

**Discussion:** (con't)

01:13:32 Sen. Jackson  
01:14:35 Sen. Laslovich  
01:15:06 Sen. Jackson  
01:15:26 Sen. Laslovich  
01:16:04 Chairman Esp  
01:16:27 Leanne Heisel, LSD  
01:16:42 Chairman Esp  
01:16:56 Sen. Barkus  
01:18:23 Sen. Erickson

01:19:12 **Vote:** Motion failed 4-5 by roll call vote with Sens. Barkus, Erickson, Esp, and Essmann voting aye and Sen. Gillan voting by proxy.

01:20:04 Without objection from the committee, Chairman Esp requested the vote be reversed and the bill tabled.

**EXECUTIVE ACTION ON SB 56**

01:21:05 **Motion:** Sen. Erickson moved that **SB 56 DO PASS.**

01:21:12 Sen. Gallus left the hearing.

**Discussion:**

01:21:27 Sen. Erickson  
01:21:39 Sen. Jackson

01:22:08 Chairman Esp

01:22:27 **Vote:** Motion failed 3-6 by roll call vote with Sens. Erickson, Gallus, and Gillan voting aye and Sens. Gillan and Gallus voting by proxy.

01:23:36 Without objection from the committee, Chairman Esp requested the vote be reversed and the bill tabled.

**ADJOURNMENT**

Adjournment: 4:30 P.M.

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Debra Polhemus, Secretary

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Additional Documents:

**EXHIBIT ([los20aad.pdf](#))**